

**SUMMERSET CITY COMMISSION
REGULAR MEETING
SUMMERSET MUNICIPAL BUILDING
7055 LEISURE LANE
THURSDAY, MAY 16th, 2024, 6:00 P.M.**

Mayor Kitzmiller called the regular meeting to order at 6:00 p.m. Commissioners Osten, Markham, and Reade were present. Absent: Hirsch. The City Attorney and City Administrator were also present.

Mayor Kitzmiller led in the Pledge of Allegiance.

Commissioner Osten gave the invocation.

CALL FOR CHANGES

Motion by Markham, second by Osten to approve the agenda for the regular meeting of the Summerset City Commission for May 16th, 2024. Motion carried.

CONSENT CALENDAR

Motion by Reade, second by Markham to approve the minutes of the regular meeting of May 2nd, 2024, as presented or amended. Motion carried.

APPROVAL OF CLAIMS

Motion by Osten, second by Markham to approve the claims and hand checks in the amount of \$1,627,134.86 from May 2nd, 2024, through May 13th, 2024, as presented or amended. Motion carried.

3RD EYE	550.00
ARTISTIC CUSTOM BADGES	106.50
AT&T Mobility	1803.24
Black Hawk Water Users District	36.00
Card Member Services	18124.98
CBH CO-OP	4434.06
City of Rapid City	4316.13
City of Sturgis	200.00
Column Software PBC	268.47
Demersseman Jensen Tellinghuisen & Huffman, LLP	2770.00
First National Trust	24975.77
Golden West Technologies	3970.98
Greenapsis	350.00
Kayl, Anthony	130.00
Kieffer Sanitation	275.00
Midcontinent Communications	183.02
Northern Balance & Scale	496.00
On-Site First Aid & Safety	248.00
Print Market	293.00
Rapid City Journal	791.36
RCS Construction Inc	1561657
SD State Treasurer	972.29

Verizon Wireless	50.00
Schmidt, Evan	50.00
LeRoy, RaeAnn	45.50
Berger, Kate	11.30
Ulmer, Jess	26.26

DEPARTMENT HEAD REPORTS

The Department Heads gave reports on their monthly happenings.

FINANCE OFFICER HIRING – BRIELLE SCHROCK

Motion by Osten, second by Markham to approve hiring Brielle Schrock at Grade 19 Step 1 @ \$58,103.55 annual/\$4,841.95 monthly effective May 20th, 2024. Motion carried.

CONSULTING RATE – STEPHANY BAUMEISTER

Motion by Osten, second by Markham to approve the consulting rate of \$75.00/hr. for Stephany Baumeister effective May 13th, 2024. Motion carried.

PAYROLL CHANGE – WASTEWATER OPERATOR

Motion by Markham, second by Reade to approve the raise of Owen Davis to \$22.93 effective April 26, 2024. Motion carried.

PAYROLL CHANGE – POLICE DEPARTMENT

Motion by Markham, second by Osten to approve the raise of Kaleb Siferd to \$26.59 effective April 26, 2024. Motion carried.

CASE SL15 MINI ARTICULATING LOADER – A. KAYL

Motion by Osten, second by Markham to open discussion. Motion carried.

Anthony Kayl Public Works Director and Jon Ambrose Wastewater Superintendent updated the Board on how the loader would be used by both Departments. Ambrose informed the Board that he does have monies that came in from the Water Warriors lawsuit. Indicating that it could be paid for out of the Wastewater Budget.

Motion by Markham, second by Osten to close discussion. Motion carried.

Motion by Osten, second by Markham to approve the purchase of the Case SL15 Mini Articulating Loader through Sourcewell due to updates from the Department Heads and the use of the same.

TOBIN MORRIS/COLIERS – INFORMATION ON MOU

Motion by Osten, second by Markham to open discussion. Motion carried.

Tobin Morris from Colliers came before the Board to give a brief history on how tax increment financing works and how it ties into the MOU document that was presented to the Board regarding Norman Ranch. Morris also discussed how the Developer’s Agreement plays a role in the same.

Motion by Markham, second by Osten to close discussion. Motion carried.

OXFORD HOUSE

Motion by Reade, second by Osten to open discussion. Motion carried.

Jennifer Endress gave a review on what Oxford House is and how it works in the communities. Endress explained the need for more houses and that one was opening up in the community of Sturgis. Endress stated to the Board that they are meeting with communities in the area to get the word out and thanked the Board for their time.

Motion by Reade, second by Markham to close discussion. Motion carried.

REGIONAL EPA CLIMATE/AIR POLLUTION REDUCTION PLAN – LYSANN ZELLER

Motion by Osten, second by Markham to open discussion. Motion carried.

Lysann Zeller, Sustainability & Stewardship Program Development Manager for the City of Rapid City, came before the Board and gave a brief presentation of the Regional EPA Climate/Air Pollution Reduction Plan and informed the Board that they will be working on the same along the I-90 corridor. The program is completely voluntary.
Motion by Reade, second by Osten to close discussion. Motion carried.

CITY OF SUMMERSET/DAKOTA CABLE SOLUTIONS INC. – SETTLEMENT AGREEMENT & DEVELOPER’S AGREEMENT

Motion by Markham, second by Reade to open discussion. Motion carried.

Talbot Wiczorek, attorney at law, gave the history on the lawsuit and what the Settlement and Developer’s Agreement would entail with Dakota Cable Solutions Inc.

Motion by Reade, second by Osten, to close discussion. Motion carried.

Motion by Reade, second by Osten, to accept the settlement and developer’s agreements and to authorize the Mayor to execute the same for dismissal and to be filed in the Meade County Register of Deeds Office. Motion carried.

FIRST READING OF TSO ORDINANCE 2024-01

Motion by Osten, second by Reade to approve the first reading of TSO Ordinance 2024-01. Motion carried.

Motion by Reade, second by Osten, to set the second reading for June 6th @ 6:00 p.m. Motion carried.

SET FIRST READING OF TSO ORDINANCE 2024-02

Motion by Osten, second by Reade to set first reading for June 6th @ 6:00 p.m. Motion carried.

MID CONTINENT FRANCHISE AGREEMENT – ORDINANCE 2024-01

Motion by Reade, second by Markham to take the matter off the table from the March 21st, 2024 meeting. Motion carried.

Motion by Osten, second by Markham to open discussion. Motion carried.

City Attorney Mike Wheeler explained to the Board that every 10 years the franchise agreement gets renewed. This has been reviewed by the school and the city and it has been confirmed that we receive 5%.

Motion by Reade, second by Markham to close discussion. Motion carried.

Motion by Markham, second by Osten to approve the first reading of Ordinance 2024-01. Motion carried.

Motion by Osten, second by Reade to set the second reading for June 6th @ 6:00 p.m.

CHANGE ORDER NO. 3 – WASTEWATER TREATMENT PLANT

Motion by Markham, second by Reade to approve the change order #3. Motion carried.

APPLICATION AND CERTIFICATE OF PAYMENT #14

Motion by Reade, second by Osten, to approve application and certificate of payment #14. Motion carried.

DISCUSSION ON ORDINANCE #2024-09 FENCES

Motion by Osten, second by Reade to open discussion. Motion carried.

City Attorney Mike Wheeler advised the Board that he could bring back a draft of the changes at the next regular commission meeting and then set a first reading regarding the same.

Motion by Markham, second by Reade, to close discussion. Motion carried.

SICK LEAVE BANK

Motion by Osten, second by Markham, to open discussion. Motion carried.

City Administrator Lisa Schieffer presented to the Board a policy on donating sick leave to those in need if they have used all their sick and vacation leave due to injury or illness to themselves or family members. Also presented was the sick leave donation form, and request to receive donated sick leave form.

Motion by Markham, second by Osten to close discussion. Motion carried.

Motion by Markham, second by Osten to approve the sick leave bank policy contingent upon review of the City Attorney Mike Wheeler. Motion carried.

2023 ANNUAL REPORT CITY OF SUMMERSET

Information only.

CITIZENS INPUT

Trista & Shane Radensleben came before the Board to discuss the events that took place regarding the chain link fence issue/permitting/easement.

UPCOMING EVENTS:

City Offices will be closed Monday, May 27th in observation of Memorial Day.

ITEMS FROM CITY ATTORNEY

No executive session.

ADJOURNMENT

Motion by Osten, second by Markham, to adjourn at 7:50 p.m. Motion carried.

(SEAL)

ATTEST:

Brielle Schrock
Finance Officer

Michael Kitzmiller
Mayor

Published once _____, 2024, at a cost of \$_____.